

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 98-773

November 18, 1998

GRACE E. ALLEY
Appeal of Consumer Assistance
Division Decision #1998-6036
Regarding Bangor Hydro-Electric
Company

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

In this Order we uphold the Commission's Consumer Assistance Division (CAD) decision requiring Bangor Hydro-Electric Company to establish a new levelized payment arrangement with customer Grace Alley of \$202.00 per month.

II. BACKGROUND

The Consumer Assistance Division established a payment arrangement for Mrs. Alley in August 1996 for a 15-month period. Based on past usage, Mrs. Alley was required to pay \$100 per month. Since that time, Mrs. Alley's has increased her usage so that her payments of \$100 usually do not cover her monthly bill nor allow her to pay anything toward past due amounts. As of September 1998, Mrs. Alley owed more than \$1026 and her monthly bill averaged more than \$140 during the past 12 months.

On October 5, 1998, CAD established an arrangement requiring a \$100.00 down payment and equal payments of \$202 per month during the next 15 months. BHE may adjust this arrangement every six months according to usage. This may increase or decrease the arrangement. Mrs. Alley appealed CAD's decision. She claims she can only afford \$100 per month.

We find that the arrangement established by CAD is reasonable. The CAD specialist has contacted various social service agencies seeking assistance for this customer. Legal Services for the Elderly has agreed to advise her on a number of financial options. Although we recognize this customer's difficult circumstances, the arrangement established by CAD is a

reasonable one given the current level of usage and the amount past due.

We make one change to the arrangement. Rather than allowing BHE the option of lowering the arrangement if usage decreases, we order BHE to examine the arrangement every six months and to lower the arrangement if Mrs. Alley's usage decreases. If usage increases, BHE should contact CAD for permission before increasing the arrangement.

Therefore, we uphold the arrangement established in CAD's decision dated October 5, 1998, with the change noted above.

Dated at Augusta, Maine this 17th day of November, 1998.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note:The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.